

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KHALID ABUSAQER,

Case No. 1:06cv549

Plaintiff,

Dlott, J.
Black, M.J.

vs.

DEPARTMENT OF HOMELAND
SECURITY, *et al.*,

Defendants.

ORDER TO STRIKE DISCOVERY

On 1/26/07, plaintiff filed a document captioned Plaintiff's First Set of Discovery Requests Propounded on Defendants. (Doc. 13)

Federal Rules of Civil Procedure provide that discovery requests and responses "must not" be filed with the court until they are used in the proceeding or the court orders otherwise. *See Fed. R. Civ. P. 5(d).* Discovery requests and responses normally are exchanged between the parties without any copy sent to the court. *See Morris v. McGrath*, No. C 04-3142SI(PR), 2006 WL 870965, at *1 (N.D. Cal. Apr. 3, 2006).

Accordingly, **IT IS HEREIN ORDERED** that Plaintiff's First Set of Discovery Requests Propounded on Defendants (Doc. 13) is **STRICKEN**. Fed. R. Civ. P. 12(f).

IT IS SO ORDERED.

Date: 1/29/07

/s/Timothy S. Black

Timothy S. Black
United States Magistrate Judge